

A Regular Meeting of the Otsego City Commission was held Monday, November 5, 2018.

The meeting was called to order by Mayor Trobeck at 7:00 p.m. with the following Commissioners present: Tom Gilmer, Nick Breedveld, Jim Misner and Stacey Withee. Absent: None. Also present: Finance Director, Matthew Storbeck; Police Chief, Gordon Konkle, DPW Supervisor, Mike Bosch, and City Manager, Aaron Mitchell.

The audience joined the Commission in the Pledge of Allegiance.

The October 15, 2018, Regular Meeting Minutes were approved.

REMARKS FROM THE AUDIENCE ON AGENDA ITEMS:

None.

I. PRESENTATIONS:

A. PRESENTATION BY SIEGFRIED & CRANDALL OF THE 2017-2018 FISCAL YEAR AUDIT

Mr. Dan Veldhuizen from Siegfried & Crandall was in attendance to review the 2017-2018 Fiscal Year Audit. He expressed his appreciation to Finance Director Storbeck and his staff for again successfully preparing the financial statements. Mr. Veldhuizen stated that the City had received an unmodified opinion, with a few adjustments. He summarized and reviewed the highlights of the audit with the Commission. He also indicated that the City has thirty-eight percent fund balance which is a good percentage, as the typical is fifteen to seventeen percent. In conclusion, he remarked that the City is financially very healthy, with a terrific staff whom are excellent to work with. The Commission thanked Mr. Veldhuizen and Finance Director Storbeck.

II. PUBLIC HEARING:

III. PLANNING AND ZONING:

IV. ORDINANCES:

V. REQUESTS:

A. CONSIDERATION OF A REQUEST FROM THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE FOR VARIOUS STREET CLOSURES AND AN OPEN FIRE IN FRONT OF THE CHAMBER BUILDING DURING THE HOMETOWN CHRISTMAS EVENT ON DECEMBER 1, 2018, AS PRESENTED

Commissioner Misner moved to grant the request from the Otsego/Plainwell Chamber of Commerce for various street closures and an open fire in front of the Chamber Building during the Hometown Christmas event on December 1, 2018, as presented, seconded by Commissioner Gilmer. CARRIED UNANIMOUSLY.

B. CONSIDERATION OF MONETARY CONTRIBUTION TO THE FIRE DEPARTMENT FOR THEIR ANNUAL CHRISTMAS PARTY

Manager Mitchell commented that the amount of \$400, is the same as last year. Commissioner Withee moved to authorize a monetary contribution to the Fire Department for their Annual Christmas Party, in an amount not to exceed \$400.00, seconded by Commissioner Breedveld. CARRIED UNANIMOUSLY.

C. CONSIDERATION OF A REQUEST FROM OTSEGO MAIN STREET TO CLOSE M-89 FROM NORTH STREET TO FARMER STREET, FARMER STREET FROM ORLEANS TO COURT STREET, AND KALAMAZOO STREET FROM ORLEANS TO M-89 - FROM 4:00 P.M. UNTIL 9:00 P.M. FOR THE LIGHTING OF THE CHRISTMAS TREE AND OTHER EVENTS AT VARIOUS TIMES THROUGHOUT THE DAY ON DECEMBER 1, 2018

Mayor Trobeck commented that the tree lighting will be after the parade. Commissioner Breedveld moved to grant the request from the Otsego Main Street to close M-89 from North Street to Mitchell Street, and other various streets from 4:00 p.m. until 9:00 p.m. for the parade and the lighting of the Christmas tree and other events at various times throughout the day on December 1, 2018, seconded by Commissioner Gilmer. CARRIED UNANIMOUSLY.

D. CONSIDERATION OF THE ADOPTION OF THE DEPARTMENT OF PUBLIC WORKS AND WASTEWATER TREATMENT PLANT EMPLOYEE'S – SAFETY MANUAL

Manager Mitchell stated that during contract negotiations the employees suggested that a Safety Manual be adopted. Manager Mitchell commented that while compiling the manual he reviewed various safety manuals from local to all over the country. Commissioner Breedveld asked if the employees had seen the document. Manager Mitchell stated that they will have an opportunity to review the document after it is adopted, and make suggestions. He stated that the Safety Manual will be a living document. Safety shoes were briefly discussed. Commissioner Misner moved to adopt the Department of Public Works and Wastewater Treatment Plant Employee's Safety Manual, seconded by Commissioner Gilmer. CARRIED UNANIMOUSLY

E. CONSIDERATION OF THE ADOPTION OF THE REVISED PURCHASING AND CREDIT CARD POLICY

Manager Mitchell stated that Finance Director Storbeck had reviewed the new policy with all of the Department Heads. He commented that the language needed to be updated, reformatted, and account for purchases that are made electronically. Commissioner Withee moved to adopt the Revised Purchasing and Credit Card Policy, as presented, seconded by Commissioner Misner. CARRIED UNANIMOUSLY

VI. AGREEMENTS:

A. CONSIDERATION OF LICENSE AGREEMENT WITH THE OTSEGO/PLAINWELL CHAMBER OF COMMERCE FOR THE USE OF VARIOUS CITY STREETS, & SIDEWALKS FOR THE HOMETOWN CHRISTMAS PARADE AND ACTIVITIES ON DECEMBER 1, 2018

Commissioner Withee moved to authorize the Mayor and City Clerk to enter into an agreement with the Otsego/Plainwell Chamber of Commerce for the use of various City Streets, Sidewalks, & certain other properties for the Hometown Christmas Parade and activities on December 1, 2018, seconded by Commissioner Misner. CARRIED UNANIMOUSLY

B. CONSIDERATION OF LICENSE AGREEMENT WITH OTSEGO MAIN STREET FOR THE USE OF VARIOUS CITY STREETS, SIDEWALKS & CERTAIN OTHER PROPERTIES FOR THE HOMETOWN CHRISTMAS PARADE AND ACTIVITIES ON DECEMBER 1, 2018

Commissioner Breedveld moved to authorize the Mayor and City Clerk to enter into an agreement with Otsego Main Street for the use of various City Streets, Sidewalks, and certain other properties for the Hometown Christmas Parade and activities on December 1, 2018, seconded by Commissioner Misner. CARRIED UNANIMOUSLY

VII. RESOLUTIONS:

A. CONSIDERATION OF RESOLUTION NO. 2018-19 A RESOLUTION AMENDING THE CITY OF OTSEGO'S 401 (A) PLAN

Commissioner Gilmer offered the following resolution and moved for its adoption, seconded by Commissioner Misner.

CITY OF OTSEGO
MICHIGAN
RESOLUTION NO. 2018-19

A RESOLUTION AMENDING THE CITY OF OTSEGO'S 401 (A) PLAN.

WHEREAS, currently the City of Otsego has various Classes of eligible employee classifications; and

THEREFORE IT BE RESOLVED, the organization amend the 401 (a) Plan to have the Classes of eligible employees be as follows:

Class 1—All Full Time Non-Union Employees

Class 2—All Full Time Union Employees

FURTHER RESOLVED, the amendment above be effective November 15, 2018.

YEAS: Commissioners: Cyndi Trobeck, Tom Gilmer, Nick Breedveld, Stacey Withee, Jim Misner.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

B. CONSIDERATION OF RESOLUTION NO. 2018-20 - A RESOLUTION REQUESTING PERMISSION FROM THE MICHIGAN DEPARTMENT OF TRANSPORTATION TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 1, 2018, AS REQUESTED

Commissioner Withee offered the following resolution and moved for its adoption, seconded by Commissioner Misner.

CITY OF OTSEGO
MICHIGAN
RESOLUTION NO. 2018-20

A RESOLUTION REQUESTING PERMISSION FROM THE
MICHIGAN DEPARTMENT OF TRANSPORTATION
TO CLOSE STATE HIGHWAY M-89 ON SATURDAY, DECEMBER 1, 2018

WHEREAS, the City of Otsego hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation commission, the DEPARTMENT, and all officer, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons and, for loss of, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.
2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the COMPANY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the

GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.

4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.
5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the City Manager or City Clerk of the City of Otsego are hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights of way on behalf of the GOVERNMENTAL BODY.

YEAS: Commissioners: Cyndi Trobeck, Tom Gilmer, Nick Breedveld, Stacey Withee, Jim Misner.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

RESOLUTION DECLARED ADOPTED.

VIII. APPOINTMENTS:

IX. DISCUSSION ITEMS:

MANAGER'S REPORT

1. He thanked Commissioners Gilmer and Misner for welcoming him as City Manager. He commented that the history that they both have on the Commission will be greatly missed. He also thanked Commissioner Kathy Misner for her twenty six years of service on the Commission.
2. He thanked Mr. Dan Veldhuizen from Siegfried & Crandall for the audit presentation and for the excellent work they do. He thanked Finance Director Storbeck for all he does and commented that he does a phenomenal job and is truly an asset to the City.
3. Updates on the following: new City logo and reminded everyone to vote tomorrow.
4. He answered questions of the Commission.

COMMUNICATIONS

None.

REMARKS FROM THE AUDIENCE

County Commissioner Dugan, he gave an overview of the recent County Commission Meeting. He reminded everyone that tomorrow is Election Day.

COMMISSIONERS' COMMENTS

Commissioner Breedveld – he wished Commissioner Misner and Commissioner Gilmer the best. He stated that it was a pleasure working with both of them and he appreciated their input.

Commissioner Withee – she thanked both Commissioner Misner and Commissioner Gilmer for their service. She commented that she gained a lifelong friendship with Commissioner Gilmer. She thanked Commissioner Misner for his service especially with the City Manager search. She commented that she will miss them on the Commission. She stated that she is however looking forward to new, exciting partnerships.

Commissioner Misner – he thanked the Commission for the opportunity to serve on the Commission. He stated that it meant a lot to him. He commented that the City staff is great. He concluded that it was an honor to complete what Commissioner Kathy Misner had started over twenty-six years ago.

Commissioner Gilmer – he stated that he has enjoyed his fifteen years on the Commission. He commented that he has seen some economic hard times, but the employees stuck with it, and eventually the economy recovered, which were more fun. He stated that he likes local government because it is non-partisan. He stated that being a Commissioner keeps you honest – as we all know each other, live together in a small community. He commented that one thing he discovered is the people want to serve the community – they just have to be asked, he said that no one had ever told him “no”, and that says a lot about a community. He stated that he cannot overstate that level of confidence he has in the City employees. He commented that the Department Heads are stellar and very professional, giving examples of WWPT Supervisor Keyzer’s and DPW Supervisor Bosch’s communication skills. He stated that he missed Commissioner Kathy Misner not being here for her last term. He expressed his gratefulness to the Community and for their continued support. He stated that he will likely serve in other roles for the City. He thanked Walt and Shirley Lopez for attending the meeting.

Mayor Trobeck – she commented that she has enjoyed this Commission and that she is going to miss both Commissioner Misner and Commissioner Gilmer very much. She thanked and complimented Finance Director Storbeck on a job well done.

The meeting was adjourned on a motion by Commissioner Gilmer, seconded by Commissioner Misner. CARRIED – 7:47 p.m.

Angela M. Cronen, MMC
City Clerk